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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,607	10/03/2003	Frederick Hayes-Roth	FHR-102	6153
30869 7590 05/12/2009				
LUMEN PATENT FIRM 2345 YALE STREET SECOND FLOOR PALO ALTO, CA 94306			EXAMINER ANDERSON, FOLASHADE	
			ART UNIT 3623	PAPER NUMBER
			MAIL DATE 05/12/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**DETAILED ACTION**

***Response to Amendment***

1. The amendment filed on 01/21/2009 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). Newly submitted claims 52-71 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claims (1-51) were drawn to a means for exchanging generic information and how that information was inputted in the system i.e. reciting componets such as means for enabling suppliers, consumers, prosumers, potential suppliers, potential consumers, and potential prosumers to access said open community model via open platform data encoding standards and a continually evolving world model; means for enabling said suppliers, said potential suppliers, said prosumers, and said potential prosumers to supply timely information about themselves, about said dynamic environment, or a combination thereof to said world model. While the currently claimed invention (52- 71) appears to be directed toward a system for monitoring and estimating various types of traffic flow i.e. reciting components such as an application for maintaining a land-based transportation model having a plurality of transportation routes and a plurality of parameters related to traffic flow in said transportation routes and a plurality of prosumers capable of exchanging information with said application.

2. If the originally presented claims (1-51) and the newly added claims (52-71) had been presented together a subcombinations usable together type restriction requirement would have been made, since claims (1-51) could have a separate utility of enabling suppliers, consumers, prosumers, potential supplier, potential prosumers to access to an open community model via an open platform data encoding standards. Further claims (52-71) could have had a separate utility of for example maintaining a land-based transportation model having a plurality of transportation routes and a plurality of parameters related to traffic flow.

### ***Conclusion***

3. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FOLASHADE ANDERSON whose telephone number is (571)270-3331. The examiner can normally be reached on Monday through Thursday 8:00 am to 5:00 pm EST.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Folashade Anderson/  
Examiner, Art Unit 3623

/Andre Boyce/  
Primary Examiner, Art Unit 3623